FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

Second Appeal No. 220/2007
(*Kondabai wd/o Arjuna Ingole & 4 others* **VERSUS** *Bhiwa @ Bhiwasan Kadtu Ingole***)**

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Shri Najbile, Advocate for the appellant.

CORAM : Smt. Vasanti A. Naik, J.
DATE : 9th July, 2007.

Heard Shri Najbile, the learned counsel for the appellant.

The appellant had filed a suit against the respondent/defendant for permanent injunction restraining the respondent herein from disturbing his possession over the suit properties. It was the case of the appellant herein that the defendant had no right to interfere with the possession of the present appellant/plaintiff over the suit property.

Both the Courts concurrently held that the plaintiff/present appellant had failed to prove their possession over the suit property and the suit property was purchased by the plaintiff from the joint family income in his own name. The Courts held that the defendant/present respondent had a share in the

suit property and the plaintiff was not entitled to relief of permanent injunction as he was not in possession of the property.

The findings recorded by both the Courts are pure findings of facts which do not give rise to any substantial question of law. The second appeal is, therefore, dismissed with no order as to costs.

JUDGE

APTE